

MINUTES OF THE MEETING OCTOBER 24, 2022

PRESIDENT PRO TEM SMUCKLER: I'd like to call this meeting of Canton City Council to order. Uh...good evening ladies and gentlemen and welcome to Canton City Council. If everyone, including Council people, would please turn your cell phones to vibrate. With a quorum present this evening, I'm gonna call this meeting to Order. Roll call.

ROLL CALL TAKEN BY CLERK WOOD:

11 COUNCIL MEMBERS PRESENT: (WILLIAM SMUCKLER, JAMES BABCOCK, LOUIS GIAVASIS, GREG HAWK, BRENDA KIMBROUGH, CHRIS SMITH, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, PETER FERGUSON & FRANK MORRIS)

ELEVEN COUNCIL MEMBERS PRESENT. (PRESIDENT SHERER AND MEMBER SCAGLIONE ABSENT)

CLERK WOOD: Eleven present, Mr. President, one absent.

EXCUSING MEMBERS

PRESIDENT PRO TEM SMUCKLER: Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we excuse President Sherer and Member Scaglione from tonight's meeting.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to excuse Member (*President*) Sherer and Member Scaglione from this evening's meeting. Are there any remarks? ...Hearing none, roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT PRO TEM SMUCKLER: Member Scaglione and Member (*President*) Sherer are excused from this evening's meeting. Now I'd like to call upon...excuse me one minute, Member Morris. Member Smith just came up and told me, before...something...and I think that this is rather important...if Member Smith...

MEMBER SMITH: Okay...most of you might remember uh...Mr. Jesse Byrd that comes to Council Meetings with his wife, Evelyn. Uh...the Mayor has attended a lot of events that they give. In fact, he was just in attendance with Mr. Byrd on Saturday morning for the Massillon/McKinley Breakfast. Mr. Byrd also attended my birthday party later on that evening and he was unresponsive that morning and he had passed. So, I just want us to keep Evelyn and her family in prayer, please. Thank you.

PRESIDENT PRO TEM SMUCKLER: If we could have a moment of silence, please. I thank...I thank you.

(MOMENT OF SILENCE FOR MR. JESSE BYRD)

PRESIDENT PRO TEM SMUCKLER: Member Morris, if you could lead us in the invocation this evening and then remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on October 24, 2022 at 7:00 P.M. in the Canton City

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Council Chamber. The roll call was taken (see above) by Clerk of Council, Jill M. Wood. The invocation was given by Ward 9 Council Member, Frank Morris. The Pledge of Allegiance was led by President Pro Tem Smuckler.

AGENDA CORRECTIONS AND CHANGES

PRESIDENT PRO TEM SMUCKLER: We are now under...we are now under uh...Agenda Corrections and Changes. Leader Babcock.

MEMBER BABCOCK: Mr. President, I move Rule 22A be suspended to add second reading Ordinance #32 to this evening's agenda.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded. Is there any discussion? ...Hearing none, roll call vote.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT PRO TEM SMUCKLER: Uh...Resolution....I'm sorry, the motion carries and Ordinance #32 is a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM SMUCKLER: We are now under Public Hearings and we have no Public Hearings for this evening.

OLD BUSINESS

PRESIDENT PRO TEM SMUCKLER: We are now under Old Business, we have no Old Business for this evening.

PUBLIC SPEAKS

PRESIDENT PRO TEM SMUCKLER: We are now under Public Speaks. We have one speaker signed up for this evening. I don't see her here. Our first speaker is Kim Bell...going once, going twice...we're moving on

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM SMUCKLER: We are now under Informal Resolutions. We have two for this evening. Madam Clerk, would you please read the Informal Resolution by title.

1. MAJORITY LEADER SMUCKLER: THE DIRECTOR OF PUBLIC SAFETY, ON BEHALF OF THE CITY OF CANTON, IS AUTHORIZED AND DIRECTED TO OPEN ONE OR MORE PURCHASE ORDERS IN A TOTAL AMOUNT NOT TO EXCEED \$41,304.00 FOR THE PURCHASE OF A 2022 RAM 1500 CLASSIC FROM VICTORY LANE CHRYSLER DODGE JEEP RAM – ADOPTED

PRESIDENT PRO TEM SMUCKLER: Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we adopt Informal Resolution #1.

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LAW DIRECTOR BATES AYLWARD.

5. REQ NEW D5J PERMIT FOR AVI FOODSYSTEMS, INC. @ 2101 CHAMPIONS GATEWAY NW – LIQUOR CONTROL DIV (OHIO)
6. REQ D5J TRF TO GRIDIRON PIZZA LLC, DBA GRIDIRON PIZZA & SPORTS @ 309 CLEVELAND AVE NW – LIQUOR CONTROL DIV (OHIO)
7. AUTH APPROVAL OF ARPA GRANT TO J BABE STEARN COMMUNITY CTR FOR CONSTRUCTION OF SYNTHETIC TURF MULTIPURPOSE YOUTH DEVELOPMENT PARK – MAYOR BERNABEI
8. REQ LEGISLATION FOR HOFV – PORT AUTHORITY TIF REVENUE BONDS COOPERATIVE AGMT – MAYOR BERNABEI
9. AUTH REPLACEMENT OF ADMIN CLERK III POSITION WITH FISCAL MANAGER IN BLDG/CODE DEPT – SAFETY DIRECTOR PERRY
10. REQ LEGISLATION FOR WALMART LOCAL COMMUNITY GRANT FOR FIRE DEPT; EMERGENCY – SAFETY DIRECTOR PERRY
11. REQ LEGISLATION FOR FY22 COPS HIRING PROGRAM AWARD NUMBER 15JCOP-22-GG-03462-UHPX; EMERGENCY – SAFETY DIRECTOR PERRY
12. REQ FOR 2022 DODGE RAM 1500 CLASSIC FOR FIRE DEPT – SAFETY DIRECTOR PERRY
13. REQ LEGISLATION FOR 2022 OFFICE OF CRIMINAL JUSTICE SERVICES, ARPA LAW ENFORCEMENT VIOLENCE REDUCTION & STAFFING GRANT; EMERGENCY – SAFETY DIRECTOR PERRY
14. REQ LEGISLATION FOR STARK-TUSCARAWAS-WAYNE JOINT SOLID WASTE MGMT DISTRICT PLAN UPDATE; EMERTGENCY – SERVICE DIRECTOR HIGHMAN
15. REQ LEGISLATION FOR STUDY AND DESIGN SERVICES FOR VARIABLE FREQUENCY DRIVE AT NORTHEAST WATER TREATMENT PLANT; EMERGENCY – SERVICE DIRECTOR HIGHMAN
16. REQ LEGISLATION FOR ROBERTS AVE AND 267TH ST NW, GP 1323 RIGHT-OF-WAY ACQUISITION AUTH; EMERGENCY – SERVICE DIRECTOR HIGHMAN
17. REQ LEGISLATION FOR 15TH ST SW BRIDGE REPLACEMENT, GP 1299, STA-15SW-13.50, PID 113153 RIGHT-OF-WAY APPROPRIATIONS AUTH; EMERGENCY – SERVICE DIRECTOR HIGHMAN
18. REQ LEGISLATION FOR ODOT PAYVEMENT MARKINGS ON US-62 FROM MORRIS RD TO EAST CORP LIMIT – PID 115375; EMERGENCY – SERVICE DIRECTOR HIGHMAN

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM SMUCKLER: We are now under First Readings of Ordinances and Formal Resolutions. Madam Clerk.

NOTE: PRESIDENT PRO TEM SMUCKLER CALLED UPON CLERK WOOD TO READ ORDINANCE #19 THROUGH ORDINANCE #31 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

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- O#19. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH STEINWAY BLVD. LLC AND EMAXX NORTHEAST OHIO LLC DBA ECO-MAXX TO PROVIDE A REAL PROPERTY TAX EXEMPTION; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON CITY SCHOOL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82(C) OF THE OHIO REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Committee
- O#20. (1ST RDG) A RESOLUTION CONSIDERING AND APPROVING THE PETITION FOR RENEWAL OF THE OPERATING ASSESSMENT OF THE DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Downtown Development & Finance Committee
- O#21. (1ST RDG) AN ORDINANCE APPROVING AND ADOPTING THE EXTENSION OF AN ALTERNATIVE METHOD FOR APPORTIONING THE STARK COUNTY UNDIVIDED LOCAL GOVERNMENT FUND FOR 2023 THROUGH 2027; AUTHORIZING THE AUDITOR TO PAY THE CITY OF CANTON'S SHARE OF THE ANNUAL OPERATING EXPENSES OF THE STARK COUNCIL OF GOVERNMENT; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#22. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ACCEPT THE 2021 ASSISTANCE TO FIREFIGHTER'S GRANT, ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT (S) FOR VARIOUS PURCHASES FOR THE FIRE DEPARTMENT; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZING THE AUDITOR TO CREATE FUND 2820 FOR THE 2021 DEPARTMENT OF HOMELAND SECURITY, ASSISTANCE TO FIREFIGHTERS GRANT; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$207,309.50 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 103001 FIRE ADMIN; \$207,309.50 SUPP APPROP FR UNAPPROP BAL OF 2820 2021 ASSIST TO FIREFIGHTERS GRANT TO 2820 103001 FIRE ADMIN – OTHER; \$188,463.18 INTER-FUND TRF/ADV FR 1001 103001 FIRE ADMIN – OTHER ADV OUT TO 2820 103001 FIRE ADMIN – OTHER ADV IN; \$18,846.32 INTER-FUND TRF/ADV FR 1001 103001 FIRE ADMIN – OTHER TRF OUT TO 2820 103001 FIRE ADMIN – OTHER TRF IN)
Referred to Finance Committee
- O#23. (1ST RDG) AN ORDINANCE AMENDING SECTION 139.02, AGE FOR SAFETY FORCES PERSONNEL APPOINTMENTS OF CHAPTER 139 CIVIL SERVICE COMMISSION OF THE ADMINISTRATIVE CODE
Referred to Judiciary Committee

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- O#24. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ACCEPT THE FFY 2023 IDEP (IMPAIRED DRIVING ENFORCEMENT PROGRAM) STEP (SELECTIVE TRAFFIC ENFORCEMENT PROGRAM) GRANT; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$54,910.36 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN – PERSONNEL)
Referred to Finance Committee
- O#25. (1ST RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO SOUTHWAY STREET SW; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ANY AGREEMENTS NECESSARY FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities Committee
- O#26. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT \$55,490.00 IN GRANT FUNDS FROM THE OFFICE OF JUSTICE PROGRAM, BUREAU OF JUSTICE ASSISTANCE; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE PURCHASE OF ITEMS WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZING THE AUDITOR TO RENAME FUND 2781 USE OF FORCE SOFTWARE UPGRADE GRANT TO 2781 FY 22 EDWARD BYRNE MEMORIAL GRANT; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$55,490.00 SUPP APPROP FR UNAPPROP BAL OF 2781 FY 22 EDWARD BYRNE MEMORIAL GRANT FUND TO 2427 102001 POLICE ADMIN – OTHER)
Referred to Finance Committee
- O#27. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER #2 WITH THE SHELLY COMPANY IN AN AMOUNT NOT TO EXCEED \$288,864.89 FOR THE CLEVELAND AVENUE WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS AS PART OF THIS CHANGE ORDER THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14; AND DECLARING THE SAME TO BE AN EMERGENCY (\$25,000.00 SUPP APPROP FR UNAPPROP BAL OF 5243 WATER FUND TO 5243 207055 CLEVELAND AVENUE WATER MAIN REPLACEMENT PROJECT – OTHER)
Referred to Finance Committee
- O#28. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER NO. 1 WITH WENGER EXCAVATING, INC. IN AN AMOUNT NOT TO EXCEED \$57,266.64 FOR THE TIMKEN PL./CLARK AVE. CONNECTOR PROJECT, GP 1313; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THIS

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CHANGE ORDER; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$57,266.64 SUPP APPROP FR UNAPPROP FR UNAPPROP BAL OF 2175 COMPREHENSIVE PLAN IMPLEMENT FUND TO 2175 202001 ENGINEERING – ADMIN - OTHER
Referred to Finance Committee

O#29. (1ST RDG) **ADOPTED AS ORDINANCE NO. 237/2022** AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE SAFETY DIRECTOR'S BUILDING CODE DEPARTMENT EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Committee

O#30. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A GRANT AGREEMENT WITH THE J BABE STEARN COMMUNITY CENTER UTILIZING \$300,000.00 IN ARPA FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

O#31. (1ST RDG) **ADOPTED AS ORDINANCE NO. 238/2022** AN ORDINANCE DECLARING THE TWO (2) POLICE INTERCEPTORS PREVIOUSLY AUTHORIZED BY THE 2022 CAPITAL BUDGET AS SOLE SOURCE PURCHASES ALLOWING THE DIRECTOR OF PUBLIC SAFETY TO OPEN PURCHASE ORDERS DIRECTLY FOR THEIR ACQUISITION WITHOUT FOLLOWING THE TYPICAL BID OR COOPERATIVE PURCHASING PROCESSES; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THE FOREGOING PURCHASES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

PRESIDENT PRO TEM SMUCKLER: Second Reading of Ordinances. (*Inaudible*). Oh, okay. Mr. ...

MEMBER BABCOCK: Personnel...7:25.

PRESIDENT PRO TEM SMUCKLER: No, we need to recess first, Leader Babcock.

CLERK WOOD: No, we don't need a motion. Just say we are now in recess...we are now in recess.

PRESIDENT PRO TEM SMUCKLER: Okay, we are going to go into recess to...okay...to consider 29 and 31, so Personnel and Finance have to meet. Personnel.

(COUNCIL RECESSED AT 7:25 PM FOR THE PERSONNEL AND FINANCE COMMITTEES TO DISCUSS ORDINANCES #29 AND #31; RECONVENED AT 7:29 PM)

PRESIDENT PRO TEM SMUCKLER: Okay, ladies and gentlemen, we are back in session. We are now under Ordinances and Formal Resolution...oh...Council is reconvening. Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we suspend Rule 22A to place Ordinances 29 and 31 back on this evening's agenda.

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MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to suspend Rule 22A to add 29 and 31 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT PRO TEM SMUCKLER: The motion carries and Ordinances 29 and 31 are a legal part of your agenda. Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we suspend the Statutory Rules of Ordinances 29 and 31.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to dispense with the Statutory Rules on 29 and 31. Are there any remarks? ...Hearing none, roll call vote.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT PRO TEM SMUCKLER: Uh...the motion is adopted. Um... Member Babcock, you've heard the three readings.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #29.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #29. Is there any discussion? ... Hearing none, roll call.

NO REMARKS

ROLL CALL 10 YEAS, 1 ABSTAIN
(MEMBER MARIOL ABSTAINED)

CLERK WOOD: Ten yeas, one abstention, Mr. President.

#29 ADOPTED AS ORDINANCE NO. 237/2022

PRESIDENT PRO TEM SMUCKLER: Ordinance #29 is adopted. Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #31.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded that you adopt Ordinance #31. Is there any discussion? ... Roll...um...if not, roll call.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#31 ADOPTED AS ORDINANCE NO. 238/2022

PRESIDENT PRO TEM SMUCKLER: Number 31 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM SMUCKLER: Second Reading of Ordinances.

NOTE: PRESIDENT PRO TEM SMUCKLER CALLED UPON CLERK WOOD TO READ ORDINANCE #32 FOR ITS SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#32. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE PURCHASE OF APPROXIMATELY 48 BULLETPROOF VESTS FOR THE MEMBERS OF THE CANTON POLICE DEPARTMENT; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$22,080.00 SUPP APPROP FR UNAPPROP BALA OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN – OTHER)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM SMUCKLER: There are no Third Readings.

CLERK WOOD: No...there are Third Readings.

PRESIDENT PRO TEM SMUCKLER: What'd I miss?

CLERK WOOD: Next page.

PRESIDENT PRO TEM SMUCKLER: Oh, I'm sorry. Okay. Ordinance 33...

NOTE: PRESIDENT PRO TEM SMUCKLER CALLED UPON CLERK WOOD TO READ ORDINANCE #33 THROUGH ORDINANCE #38 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#33. (3RD RDG) **ADOPTED AS ORDINANCE NO. 239/2022** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 22484 & 22485; AND DECLARING THE SAME TO BE AN EMERGENCY (2200 BLK 7TH ST NE, HABITAT FOR HUMANITY)

PRESIDENT PRO TEM SMUCKLER: Member Babcock.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #33.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM SMUCKLER: Any discussion on 33. Roll call.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#33 ADOPTED AS ORDINANCE NO. 239/2022

PRESIDENT PRO TEM SMUCKLER: Ordinance #33 is adopted. Ordinance #34.

O#34. (3RD RDG) **ADOPTED AS ORDINANCE NO. 240/2022** AN ORDINANCE AUTHORIZING THE AUDITOR TO CREATE THE 2808 ARPA 2022 WELLNESS AND RECRUITMENT FUND; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (APPROP TO POLICE ADMIN)

PRESIDENT PRO TEM SMUCKLER: Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #34.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #34. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#34 ADOPTED AS ORDINANCE NO. 240/2022

PRESIDENT PRO TEM SMUCKLER: Ordinance #34 is adopted. Ordinance #35.

O#35. (3RD RDG) **ADOPTED AS ORDINANCE NO. 241/2022** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR JOE CAPLEA OF CAPLEA STUDIO ARCHITECTS FOR EXPENSES RESULTING PRIOR TO THE PASSAGE OF THIS ORDINANCE; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (APPROP TO CODE ENFORCEMENT ADMIN)

PRESIDENT PRO TEM SMUCKLER: Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #35.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #35. Is there any discussion?

MEMBER MORRIS: Mr. President.

PRESIDENT PRO TEM SMUCKLER: Member Morris.

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MEMBER MORRIS: Just a couple of questions. In Committee, this was said that the invoices date back to 2018 on this moral ob. Do you have a breakdown by year?

SAFETY DIRECTOR PERRY: Uh...Mr. President, to the Councilman Morris, yes, it was listed on the Communication as what the breakdown was, but if you'd like me to email that you, I can do that in the morning.

MEMBER MORRIS: No, I can pull it up. Thank you.

PRESIDENT PRO TEM SMUCKLER: Any other? All those in favor signify by...Oh, I'm sorry, Member Babcock. Oh, it's up...it's up for adoption. All those in favor signify by saying aye.

COUNCIL MEMBERS: Roll call.

PRESIDENT PRO TEM SMUCKLER: Roll call. I'm sorry. I'm listening to this and I'm...

NO REMARKS

ROLL CALL 10 YEAS, 1 NAY
(MEMBER MORRIS VOTED NAY)

CLERK WOOD: Ten yeas, one nay, Mr. President.

#35 ADOPTED AS ORDINANCE NO. 241/2022

PRESIDENT PRO TEM SMUCKLER: Ordinance #35 is adopted. Ordinance #36.

O#36. (3RD RDG) **ADOPTED AS ORDINANCE NO. 242/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (APPROP TO POLICE ADMIN FOR K-9 KENNEL, WALMART LOCAL COMMUNITY GRANT)

PRESIDENT PRO TEM SMUCKLER: Member Babcock.

MEMBER BABCOCK: Mr. President, I move we adopt #36.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #36. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#36 ADOPTED AS ORDINANCE NO. 242/2022

PRESIDENT PRO TEM SMUCKLER: Ordinance #36 is adopted Ordinance #37.

O#37. (3RD RDG) **ADOPTED AS ORDINANCE NO. 243/2022** AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID

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PRESIDENT PRO TEM SMUCKLER: Member Babcock.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #37.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #37. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#37 ADOPTED AS ORDINANCE NO. 243/2022

PRESIDENT PRO TEM SMUCKLER: Ordinance #37 is adopted. Ordinance #38.

O#38. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 244/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (SUPP APPROPS, TRFS AND INTER-FUND TRF TO ADJUST ACCTS THAT ARE OUT OF BALANCE OR SHORT ON FUNDS)

PRESIDENT PRO TEM SMUCKLER: Member Babcock.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #38.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded that you adopt Ordinance #38. Is there any discussion?

MEMBER BABCOCK: I move we amend Ordinance #38 per the copy that all Council Members have in front of them.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to amend Ordinance #38. Is there any discussion on the amendment.

MEMBER MORRIS: Mr. President. Can somebody clarify the amendment? (*Inaudible*).

FINANCE DIRECTOR CROUSE: Mr. President. On this amendment, we talked about one of the pieces of this amendment last week in Committee. We were moving (*Inaudible*) from the Engineer's Department to move money from their Administrative Budget to a Project Budget. We're going to actually remove that from this amendment. The other piece of this uh...amendment is...Fund 2803. We passed an appropriation in the

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amount of \$18,000.00 for the Safe Neighborhood Grant a couple of meetings ago and I gave Director Perry the wrong information and we stuck it into Other and not Payroll. And we needed to put it in Personnel because it's for overtime for officers, so...uh...we just are doing an appropriation transfer from Other to Personnel for that \$18,000.00. And the third and final amendment to this uh...Ordinance is...adding appropriations for interest on our bonds that we passed earlier this summer for the sanitation building, the uh...service center improvements and the salt storage facility. Those are the amendments.

PRESIDENT PRO TEM SMUCKLER: Anyone else on the amendments? All those in favor, signify by saying aye. All those opposed.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM SMUCKLER: The Ordinance is now amended. Member Babcock.

MEMBE BABCOCK: Mr. President, I move we adopt Ordinance #38, as amended.

MEMBE GIAVASIS: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 38 by the substitution of the attached amended ordinance for the original pending ordinance.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #38, as amended. Any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#38 ADOPTED AS AMENDED AS ORDINANCE NO. 244/2022

PRESIDENT PRO TEM SMUCKLER: Ordinance, as amended, is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM SMUCKLER: Committee Meetings for next Monday, the 24th.

CLERK WOOD: The 31st.

PRESIDENT PRO TEM SMUCKLER: I'm sorry...the 31st.

MEMBER HALL: Mr. President.

PRESIDENT PRO TEM SMUCKLER: Yep.

MEMBER HALL: Community & Economic Development...6:30?

CLERK WOOD: 6:15

MEMBER HALL: 6:30

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CLERK WOOD: 6:15 (*Laughter*)

MEMBER HALL: 6:15, October 31st!

PRESIDENT PRO TEM SMUCKLER: Understand Committee Chairman, I don't if anyone's told you...um...the...there was an Ordinance held in your Committee to get Mr. um...

CLERK WOOD: Maggiore.

PRESIDENT PRO TEM SMUCKLER: Maggiore here next Monday night to discuss what he's going to do with the Nationwide Building. So, we're going to have that too, that's part of why we're starting at 6:15. So, if Council Member wants to ask questions, they can be able to do so.

MEMBER FISHER: Mr. President.

PRESIDENT PRO TEM SMUCKLER: Yeah.

MEMBER KIMBROUGH: Environmental & Public Utilities, October 31st at 6:15?

CLERK WOOD: 6:15.

PRESIDENT PRO TEM SMUCKLER: Anyone else?

MEMBER HAWK: Mr. President. Finance Committee will meet Monday, October 31st at 6...6:15!

PRESIDENT PRO TEM SMUCKLER: Anyone else?

CLERK WOOD: Member Kimbrough, Downtown Development.

MEMBER KIMBROUGH: Oh. Downtown Development will meet at 6:15 on the 31st.

MEMBER GIAVASIS: Mr. President. Judiciary will meet at 6:15.

PRESIDENT PRO TEM SMUCKLER: Anyone else?

CLERK WOOD: Member Mariol, can you call Public Property Capital Improvement, for October 31?

MEMBER MARIOL: Okay...Public Property Capital Improvement, same time, same place.

CLERK WOOD: Thank you. That's everybody.

PRESIDENT PRO TEM SMUCKLER: Anyone else.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM SMUCKLER: We are now under Miscellaneous Business. Is there any Miscellaneous Business?

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MEMBER SMITH: Yes, uh...Mr. President. Don't forget about Trick or Truck..or Treat (*Inaudible*). Southeast Community Center. However you want to say it! Truck or Treat, Trick or Trunk...at the Southeast Community Center, uh...that's on Saturday at 3:00.

PRESIDENT PRO TEM SMUCKLER: Saturday at 3:00. Anyone...Member Kimbrough.

MEMBER KIMBROUGH: Okay, a Truck or Treat is going to be on Thursday at the Stadium Park, at...5:00 – 7:00.

LAW DIRECTOR AYLWARD: Candy everywhere!

PRESIDENT PRO TEM SMUCKLER: Candy everywhere is right!

MEMBER GIAVASIS: Mr. President. I just want to put it on record that I was going the text about the possibility of a yard waste facility in the city. The conversation we had with ...(*Inaudible*)...

PRESIDENT PRO TEM SMUCKLER: I've already talked to the Health Department and I will further talk with the Administration and the Service Director about this in the future. (*Inaudible*). Anyone else? Member Babcock, the favorite motion of the night.

MEMBER BABCOCK: Mr. President, I move we adjourn.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded that Canton City Council adjourn. Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

LAW DIRECTOR AYLWARD: Alright, bang your gavel dude, you can do it! You have the power!

PRESIDENT PRO TEM SMUCKLER: (Gavel falls)

ADJOURNMENT TIME: 7:46 PM

ATTEST: October 25, 2022
JILL M. WOOD
CLERK OF COUNCIL

APPROVED:
WILLIAM SMUCKLER
PRESIDENT PRO TEM